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PATENT

ATTORNEY DOCKET NO.: 041465-5111

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------------------|---|------------------------------|
| In re Application of: |) | |
| |) | |
| Yoshiaki MORIYAMA et al. |) | Confirmation No.: 3429 |
| |) | |
| Application No.: 09/851,391 |) | Group Art Unit: 2132 |
| |) | |
| Filed: May 9, 2001 |) | Examiner: Lanier, Benjamin E |
| |) | |
| For: COPYRIGHT PROTECTING METHOD, |) | Mail Stop Amendment |
| RECORDING METHOD, RECORDING |) | |
| APPARATUS, REPRODUCTION |) | |
| METHOD AND REPRODUCTION |) | |
| APPARATUS |) | |

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the Office Action dated November 2, 2004 (Paper No. 6).
2. Additional papers enclosed:

- ☐ Submission of Revocation of Original Power of Attorney and Grant of New Power of Attorney
- ☐ Change of Correspondence Address
- ☐ Change of Attorney Docket Number
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, one reference included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|--|--------------------------|-------------------------------|
| <input type="checkbox"/> one month | \$ 120.00 | \$ 60.00 |
| <input type="checkbox"/> two months | \$ 450.00 | \$ 225.00 |
| <input checked="" type="checkbox"/> three months | \$ 1,020.00 | \$ 510.00 |
| <input type="checkbox"/> four months | \$ 1,590.00 | \$ 795.00 |

Extension of time fee due with this request: \$ 1,020.00

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|----------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 15 | minus | 30 | 0 | x \$50 each = | + \$0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 7 | minus | 7 | 0 | x \$200 each = | + \$0.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$360.00 | + \$0.00 |
| SUB-TOTAL = | | | | | | \$0.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$0.00 |
| TOTAL FEE = | | | | | | \$0.00 |

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge \$ 1,020.00 to Deposit Account No. 50-0310 for the three-month extension of time fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Paul A. Fournier
Reg. No. 41,023

Dated: May 2, 2005

By:

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Sir:

SUBMISSION OF REPLACEMENT DRAWING SHEETS

Filed herewith are seven (7) replacement sheets of drawings containing all of FIGs. 1-7 of the above-identified application. These replacement sheets are being filed to replace the previously-filed drawing sheets. In these replacement drawing sheets, FIG. 6 has been amended as described in the concurrently-filed Amendment document. It is respectfully submitted that this change introduces no new matter as it conforms to the specification and/or the drawings as originally filed, pursuant to 37 C.F.R. § 1.81(d). It is requested that these drawings be approved and made part of the official record in the above-identified patent application. If there are any fees due in connection with the filing of these drawings, please charge the fees to our Deposit Account No. 50-0310.

Respectfully submitted,

Dated: May 2, 2005
CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, DC 20004
Tel: 202.739.3000

By:

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